

REMARKS

Claims 1-18, 20-82, 30-55, 58, 60-67 and 69-110 were examined. Applicant has cancelled claims 19 and 68, and amended claims 1, 11, 12, 13, 30, 40, 54, 55, 58, 85, 94, 102, 103, 104, 105, 106, 107, 108, 109 and 110. No new matter has been added.

Rejections under 35 U.S.C. §103

Claims 1-4, 6-10, 14-15, 85-91, 102-107 and 110 stand rejected under §103(a) as being obvious over Ingle ('749) in view of Arts et al. (5,702,387).

Claims 16 and 92 stand rejected under §103(a) as being obvious over Eggers (5,496,314) and Arts et al. (5,702,387) and further in view of Negus et al. ('848).

These ground of rejection are respectively traversed.

In one embodiment of the present invention, as set forth in claim 1, a handpiece includes a handpiece assembly with a handpiece housing. An insert is detachably coupled to the handpiece housing. The insert includes a non-tissue removal RF electrode with a conductive portion and a dielectric between the conductive portion and a skin surface when the RF electrode is positioned at the skin. The RF electrode provides for passage of energy through the dielectric to the skin surface, is configured to operate in a range of skin thermal conductivities at or near 0.20 to 1.2 W/meter.degree. C.

None of the references, singularly or in combination provide for such a device, nor would be obvious to combine the teachings of the cited references to obtain the device set forth in claim 1.

Allowable Subject Matter

Applicant thanks the examiner for the indication that claims 17, 18, 20-24, 26-28, 30-55, 58, 60-67, 69-84, 93-101, 108 and 109 are allowable over the prior art.

The examiner also indicates that claims 26-27, 76-77 and 81-83 are objected to as being depending upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, and that claims 5 and 25 would be allowable if rewritten to overcome the §112 rejections and to include all of the limitations of the base claim and any intervening claims.

CONCLUSION

It is submitted that the present application is in form for allowance, and such action is respectfully requested.

The Commissioner is authorized to charge any additional fees which may be required, including petition fees and extension of time fees, to Deposit Account No. 08-1641 (Docket No. 39238-0753).

Respectfully submitted,

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